



31355 U.S. PTO  
10/733200  
120903

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



### PATENT FILING TRANSMITTAL

Transmitted herewith for filing is the Patent Application of: **Masaki Ohira, Masazumi Noguchi, Takashi Mori, Mitsunobu Kimura, Koji Kato**

For: METHOD AND APPARATUS FOR MULTIPLEX TRANSMISSION

#### TYPE OF FILING

This new patent application is for a(n):

- Utility
- Design
- Plant
- Divisional
- Continuation
- Continuation-in-part

#### Benefit of a prior filed application

- This is a continuation of application Serial No.: 09/196,900 filed on November 20, 1998 claims the benefit of an earlier filed U.S. Patent Application under 35 USC 120.
- Please accord Applicant the benefit of the priority date of November 27, 1997 to this case pursuant to 35 USC 119. Applicant's claim for priority is based on application 9-342050 filed in Japan on that date.

#### Filing under 37 CFR 1.53 (Utility) or 37 CFR 1.153 (Design)

- This is an application filed pursuant to 37 CFR 1.53 or 37 CFR 1.153, permitting receipt of a filing date upon filing of a specification, at least one claim and necessary drawings.
- In the event any parts of this application are incomplete, please treat this as a filing under 37 CFR 1.53 or 37 CFR 1.153.

#### CERTIFICATE OF MAILING (37 CFR 1.10(a))

CERTIFICATE OF MAILING BY "EXPRESS MAIL" - Rule 10: I hereby certify that this correspondence is being deposited with the U. S. Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 as Express Mail No. \_\_\_\_\_ addressed to the Commissioner of Patents & Trademarks, Washington, D.C. 20231 on \_\_\_\_\_ by \_\_\_\_\_.

Date: 12/9/03

Signed: Sam C. Cava

**ENCLOSURES**

Minimum requirements under 37 CFR 1.53(b) (Utility) or 37 CFR 1.153 (Design)

- 39 pages of specification;  
 1 pages of claims;  
 1 pages of abstract;  
 11 sheets of Formal drawings;  
 A Declaration, Power of Attorney & Petition or listing of inventors;  
and  
 A postcard for return to us as proof of receipt of the above documents.

plus

- An Assignment of the invention to Hitachi, Ltd.. and an Assignment cover sheet;  
 Verified Statement Claiming Small Entity Status (37 CFR 1.9(f) and 1.27(b))  
 Form PTO-1449 (IDS) and copies of the references listed thereon;  
 A certified copy of \_\_\_\_\_ (country) patent application number (priority document).  
 A preliminary amendment;  
 Declaration of Biological Deposit;  
 Submission of sequence listing, computer readable copy and/or amendment relating thereto for biotechnology invention containing nucleotide and/or amino acid sequence;  
 An associate power of attorney;  
 Other.

**DECLARATION OR OATH**

The enclosed Declaration or Oath has been executed by:

- Inventor(s);  
 Legal representative of the inventors (37 CFR 1.42 or 1.43);  
 Joint inventor or person showing proprietary interest on behalf of an inventor who refused to sign or who cannot be reached and this is a petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is attached;  
 Has not been executed and is enclosed for the purposes of identifying the inventors.

**INVENTORSHIP STATEMENT**

The inventorship for all the claims in this application is:

- the same;  
 not the same and, as an explanation, a statement is/ will be submitted.

**LANGUAGE**

The application submitted herewith is:

- in English;  
 in not in English and in terms of 37 CFR 1.52(d) a verified translation is  
 attached  
 not attached.

### FEE CALCULATION

The filing fee has been calculated as shown below:

	SMALL ENTITY	OR	OTHER THAN A SMALL ENTITY
BASIC FEE Design Patent		\$170	\$340
BASIC FEE Utility Patent		\$385	\$770
EXTRA FEES	RATE	FEES	RATE
TOTAL CLAIMS <u>1</u> MINUS 20 =		x 9 = \$	x 18 = \$
INDEP. CLAIMS <u>1</u> MINUS 3 =		x 40 = \$	x 80 = \$
<input type="checkbox"/> MULTIPLE DEP. CLAIM		+ 135 = \$	+ 270 = \$
<input type="checkbox"/> ASSIGNMENT		+ 40 = \$	+ 40 = \$
<input type="checkbox"/> RULE 53 SURCHARGE		+ 65 = \$	+ 130 = \$
 <hr/>	 <hr/>	 <hr/>	 <hr/>
<b>TOTAL</b>	<b>\$ 0</b>	<b>\$770.00</b>	

### FEE PAYMENT

- No Fee is Enclosed at this time.
- Attached is Check No. \_\_\_\_\_ in the sum of \$\_\_\_\_\_ to cover the filing and, if applicable, the assignment fee.
- Please charge Account No.19-2825 the sum of \$\_\_\_\_\_.

### FEE DEFICIENCY

- The Commissioner is authorized to charge (or credit any overpayment) to deposit account No.19-2825:
- Any additional filing fees required under 37 CFR 1.16, except Rule 53 filings, which will be paid within the time permitted by PTOL 1533.
- Assignment Recordal fees.
- The filing fee and surcharge under 37 CFR 1.16, patent application processing fees under 37 CFR 1.17 and patent issue fees under 37 CFR 1.18 are intended to be paid by our firm as they arise. As no abandonment is intended by any inadvertent nonpayment of fees, the Commissioner is hereby authorized to charge payment of such fees as from time to time come due, if not paid prior to due date to our Deposit Account No. 19-2825 .
- A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: 12/11/03



Joseph Sofer, Esq.  
Reg. No. 34,438

SOFER & HAROUN, L.L.P.

Customer No.: 000039600  
Address: 317 Madison Avenue, Suite 910  
New York, New York 10017  
Telephone: (212)697-2800  
Facsimile: (212)697-3004

PATENT

Docket No. 727-003con

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Ohira et al.  
Serial No. : Not yet assigned Examiner: TBA  
Filed : December 9, 2003 Group Art Unit: TBA  
For : METHOD AND APPARATUS FOR MULTIPLEX TRANSMISSION

EXPRESS MAIL CERTIFICATE

Express Mail Label No. EL983225009US

Date of Deposit December 9, 2003

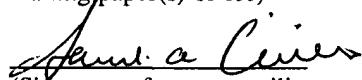
I hereby certify that the following attached paper(s) or fee

- 1) Continuation Patent Application
- 2) Formal Drawings(11 sheets)
- 3) Patent Transmittal
- 4) Copy of Declaration-executed
- 5) Express Mail Certificate
- 6) Return Postcard
- 7) Assignment
- 8) Assignment Recordation Cover Sheet
- 9) Check for \$40.00
- 10) Information Disclosure Statement w/ form PTO-1449
- 11) Nine References

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Sandria Cirillo

(Typed or printed name of person  
mailing paper(s) or fee)

  
(Signature of person mailing  
paper(s) or fee)

Mailing Address:  
SOFER & HAROUN, LLP  
317 Madison Avenue  
Suite 910  
New York, New York 10017  
Tel:(212)697-2800;fax (212)697-3004